

REMARKS

Claim Rejections – 35 USC § 103

Claim 11-13 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Mowry (US Patent # 5,457,491).

Allowable Subject Matter

Claims 1-10 were deemed allowable. Claim 14 was objected to, but would be found allowable if it included all the limitations of the base claim and any intervening claims.

Claims 11 and 15 have been amended. Claim 14 has been canceled. Reconsideration and allowance of the claims as amended is requested for the following reasons. Claim 11 has been amended to include the features of former claim 14, as directed by the Examiner.

Regarding claim 15, the Applicant addresses the problem of not being able to view a processed image of the motion capture system without applying actual post-production processes. Where sub-sampling is not possible at the image capture stage for the motion capture system until after a subsequent post-production process, Applicants introduce a second capture system (e.g., an electronic capture system residing on a first path). This second capture system is capable of emulating post-production processes that are applied to corresponding motion capture signals residing on a second path.

In amended claim 15, the Applicants have clarified that the motion capture system and the electronic capture system are on two different paths. No new subject matter has been added and the clarified features have been deemed allowable by the Examiner in claims 1-10 and 14. Moreover, at the time of image capture the Applicants claim corollary paths at the time of capture, unlike the cited art of Mowry. Mowry discloses only a single path for a motion capture system, where a process is applied at the post-production stage to emulate the image with the native attributes of an alternate motion capture system. See, Fig.1. The Applicants apply post-production processes to a second path, i.e., in the electronic capture system, instead of after the motion capture system, as disclosed in Mowry. Unlike Applicants' present invention, Mowry does not teach a method where the

recorded image signals are different (i.e., unprocessed) from the videotap apparatus signals that are processed and displayed.

More specifically, Mowry does not teach, nor suggest a second capture path to apply the post-production processes at the image capture stage. Consequently, the teaching of Mowry does not enable or direct one to apply digital algorithms to a second path when the application to the first path is limited by bandwidth or immediacy, for example. In sharp contrast, Applicants can apply digital algorithms to an electronic capture system on a second path to overcome these same limitations.

It is believed that independent claims 11 and 15 are unobvious in light of Mowry. The remaining claims are dependent from these claims and are considered to be patentable for at least the same reasons.

Applicants have reviewed the cited art made of record and believe that, singly or in any suitable combination, they do not render Applicants' claimed invention unpatentable. It is believed that the claims in the application are allowable over the cited art and such allowance is respectfully requested.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.